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February 10, 2000

USDA/FSIS Hearing Clerk
300 12th Street, SW
Room 102 Cotton Annex
Washington, DC 20250-3700

Re Docket No. 98-045N:

Comments on President's Council on Food Safety Strategic Plan

The United Egg Producers (UEP) and United Egg Association (UEA) are responding to the request for input on the overarching goal and framework of the Food Safety Plan as well as the measures of success expected from the individual objectives. An executive summary is followed by more detailed comments.

Executive summary

- The first and last sentences of the vision statement need to be combined.
- Science-based objectives need to be truly rooted in data.
- Ultimately the foodborne disease hazard, not the risk, is what needs to be controlled.
- Gaps in the food safety system may be created when states agencies are involved in enforcement of federal initiatives.
- The industry supports the use of preventive techniques and voluntary programs such as the HACCP-based QA plans developed by the egg industry (e.g., UEP's 5-Star plan).
- Identification of risks and microbiological testing are not synonyms; the proposed Egg Safety Action Plan relies too heavily on costly testing.
- Every effort should be made to facilitate the sharing of technologies.
- Labels should be educational and not scare consumers away from wholesome food.

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Docket No. 98-045N
President's Council on Food Safety
Strategic Planning Task Force
Public Meeting - January 19, 2000

The United Egg Producers (UEP) and United Egg Association (UEA) is pleased to have this opportunity to comment on the Preliminary Food Safety Strategic Plan developed by the President's Council on Food Safety Strategic Planning Task Force. The Council has requested input on the overarching goal and framework regarding its focus and comprehensiveness as well as the measures of success expected from the individual objectives.

Comments on the Vision Statement

The egg industry is supportive of the vision statement, but would urge that it be re-worked so that consumer confidence in food safety is inspired in combination with realistic expectations. **The strategic plan cannot imply that food is risk-free.** It is important that the risks be managed so that hazards can be controlled.

The opening sentence, "Consumers can be confident that food is safe." may be misleading and is setting consumers up for unrealistic expectations. Everyone must understand that there always has been, and always will be, some risk associated with food.

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In analyzing the 2,423 outbreaks involving 77,373 cases of foodborne illness reported to the Centers for Disease Control and Prevention (CDC) between 1988 and 1992, the most common practices contributing to foodborne disease were identified. These included improper holding temperatures and poor personal hygiene of food service workers. Addressing these food handling practices by reminding all consumers that there is a risk if food is mishandled or not prepared properly could result in food that is not safe to eat. Therefore, we **propose combining the first sentence with the last sentence in the following adjustment: “Consumers can be confident that food is safe when everyone understands and fulfills their responsibilities.”** To obviate the consumers’ responsibility in the safe handling of food undermines the goal of the entire strategic plan.

Comments on the Overarching Goal

We fully support the overarching goal in its design to protect the public health from foodborne “hazards” through science-based objectives. The science-based objectives need to be truly rooted in scientific data so that there is valid information for making informed decisions.

Comments in general on the three goals:

Science and Risk Assessment;

Risk Management;

Risk Communication

We are supportive of the framework for these goals, but reiterate that it is “hazard&that lead to foodborne disease and not the “risks”. It is also vital to recognize that the most important priority for the Federal food safety strategic plan is to focus on actual hazards as opposed to theoretical risks. Real, not hypothetical, numbers need to be used in making decisions regarding priorities. Funds need to be directed first to known hazards (including new and emerging diseases) and second at theoretical risks. This creates measurable objectives based on empirical data and facilitates the priority setting process. The Federal food safety strategic plan must continually ask if the planned activities will actually stop someone from getting ill. Protecting the food supply is an ongoing challenge because, although the risk associated with eating will never be eliminated, the hazards can be minimized.

Comments on Specific Objectives within the Goals

In the goal of **Risk Management, objective 1**, is to identify the areas where gaps exist in the current food safety system. The egg industry is supportive of focused and comprehensive objectives that will reduce the rate of foodborne disease.

In the President's Council on Food Safety Egg Safety Action Plan gaps were also to be identified in the scientific understanding of the Salmonella Enteritidis (SE) bacterium and its route of on-farm transmission. The egg industry fully supports bridging the gaps in understanding the pathogenesis of SE and supports an action plan for measuring the success of the plan. However, the Egg Safety Action Plan is producing more gaps in its organizational structure by calling on State agencies to provide oversight and enforcement of the Food and Drug Administration's egg safety standards developed for the egg producer. **The development of an organizational structure for enforcing egg safety standards through fifty State agencies will create more and larger inconsistencies and paving the way for wider gaps in the current food safety system.**

The Egg Safety Action Plan is setting itself up for failure unless the organizational structure in the Plan can be verified and enforced by a federal system that has proven results in consistent enforcement. We support the organizational structure for enforcing egg safety standards within the USDA Animal & Plant Health Inspection Service or Agricultural Marketing Service. **The proven track record for enforcing consistent grading standards through the AMS voluntary shell egg grading service or consistency in monitoring animal health demonstrates the degree of effective communication necessary between industry and government to achieve success.** This organizational structure must be on the federal level of enforcement and verification of egg safety standards. This recommendation is the most efficient, most effective and the least cost in achieving this objective.

Risk Management Goal, objective 2, calls for establishing national standards and implementing preventive techniques including performance standards. The egg industry is supportive of policies and procedures that are HACCP-like (Hazard Analysis of Critical Control Points) in their implementation. Reductions in the incidence of Salmonella have resulted from HACCP-like quality assurance programs and public health surveillance systems. To see the rate of disease decrease four years in a row is heartening to agencies, egg producers and consumers. The egg industry is optimistic about continuing this trend as it further develops stringent quality assurance plans. **Practical techniques that are economically feasible, such as the use of vaccines for controlling Salmonella, are eagerly sought by the egg industry.** Low-tech methods such as improving packaging design to facilitate the rapid cooling of eggs to maintain the quality and ensure wholesomeness are additional preventive techniques that are eagerly sought by the egg industry.

Risk Management Goal, objective 4, calls for identifying food safety risks and violations of food safety standards through inspections. The egg industry is supportive of the collection of data in validating the effectiveness of a quality assurance program. Testing is an important component of validating effectiveness, but one cannot test his way to safety.

The Egg Safety Action Plan relies too heavily on costly testing when there are other programs that will provide for a safer food product including a ban on repackaging eggs returned from a retail outlet and providing a “sell-by”, “use-by”, “best-by” or “expiration” date on egg cartons. UEP’s 5-Star Quality Assurance Program contains a testing provision for validating its program.

Risk Management Goal, objective 6, addresses voluntary approaches for improving food safety. The egg industry has consistently demonstrated its commitment to a safer egg by the number of voluntary programs it has implemented including the 5-Star Quality Assurance Program. It is important that quality assurance programs be universal in concept and in implementation. Federal support by way of incentives for egg producers in adopting the provisions of a nationwide quality assurance program would contribute toward improving food safety. The Egg Safety Action Plan acknowledges that “*Salmonella of various serotypes are commonly found in the digestive tracts of animals and frequently contaminate our environment.*” (emphasis added). The fact leads the egg industry in asking that modifications in the current traceback be adjusted when a foodborne illness is detected. **When an egg producer uses a vaccine proven to be effective in inhibiting the shed of SE organisms into the egg, then his farm will be exempt from a traceback.**

Furthermore, when egg producers follow a federally-approved quality assurance program, should his eggs test positive for SE, then that producer would receive a federally funded indemnity for having to divert his eggs to pasteurization and the cost differential between the shell egg market and the market for the eggs he diverts to the breaker be paid to the producer.

Risk Management Goal, objective 7, addresses technology transfer. Every effort should be made to facilitate the sharing of technologies that will contribute to a decrease in a foodborne disease. On numerous occasions the egg industry has submitted data and information on the use of vaccines in preventing the shed of SE organisms in the egg to the Food and Drug Administration with no response. European countries have added the use of vaccines in effective SE control programs. The interagency coordination necessitates that this lack of response be addressed and corrected so that transfer of technology be facilitated.

Risk Communication. The egg industry requests that a new objective be created for consideration by the President’s Council on Food Safety. The stated objectives discuss the need for education and the egg industry is fully supportive of this goal. Although not the only line of defense, educating the consumer in proper food handling and preparation is the final line of defense.

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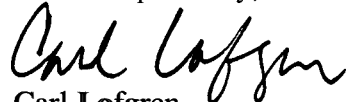
The objective we wish to add is: "Provide safe handling labels that reflect science-based education of consumers into proper food handling and preparation".

The egg industry does not understand the rationale for the development of the FDA proposed safe handling label that uses language substantially more alarmist than the language required by the FSIS for labeling meat and poultry. The sterner warning proposed by FDA and the use of additional inflammatory adjectives and other wording not required for meat and poultry may have the effect of implying to consumers that eggs are less safe than meat and poultry. For the purposes of these consumers purchasing decisions, it is irrelevant that the two labels are required by two different agencies.

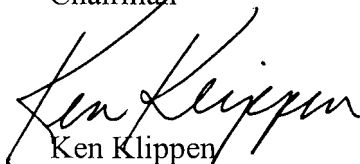
The President's Council on Food Safety is bridging the gaps among the agencies and hence there is a vital need for interagency discussion on the proposed label for shell eggs. The *Fight Bac!* slogan is simple, direct and a positive message that is easily understood and calls the consumer "to action". With the interagency consumer research and development of the *Fight Bac!* slogan, the egg industry does not understand the reluctance to use this slogan as a universally applied label in educating consumers to action. No matter how low the risk of our food supply, and in eggs the risk is one in twenty thousand eggs, the need for education remains vitally important. A consistent message is what the President's Council on Food Safety Strategic Plan needs first and foremost.

We appreciate the opportunity to provide these comments to the President's Council on Food Safety Strategic Plan by focusing on specifics in the Egg Safety Action Plan.

Yours respectfully,



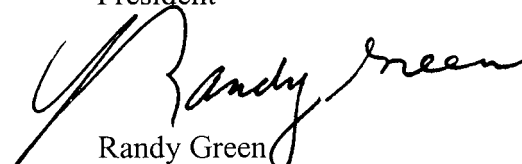
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